



Attorney Docket No. ATI-192

21/Reply Brief
J. Smith
7/31/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES

Re: Application of: David S. BREED
Serial No.: 09/114,962
Filed: July 14, 1998
For: Self-Contained Airbag System
Examiner: E. Culbreth
Art Unit: 3611

REPLY BRIEF UNDER 37 C.F.R. §1.193(b)

Assistant Commissioner for Patents
Washington, D.C. 20231

July 19, 2001

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Sir:

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In reply to the Examiner's Answer dated June 4, 2001, applicants reply as follows.

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In response to the Examiner's comments on Issue 1 (pages 3-4 of the Examiner's Answer), it is noted that the crush zone of a vehicle varies depending on the type of impact and the type of airbag system. In the case of Breed, the airbag system is for deployment in frontal impacts and thus, the passenger compartment might be considered outside of the frontal crush zone (as asserted by the Examiner). However, in the claimed invention, the airbag system is a side impact airbag system where the crush zone indisputably includes the side doors. The invention is thus unequivocally not directed to a frontal impact airbag system.

I hereby certify that this correspondence and/or fee is being deposited with the United States Postal Service as first class mail in an envelope addressed to the "Assistant Commissioner for Patents, Washington, D.C. 20231" on July 19, 2001.


Brian Roff, Esq.

Even if Breed teaches placement of an airbag system for sensing frontal impacts in the passenger compartment which is relatively distant from the front of the vehicle, it is unreasonable to conclude that Breed could teach placement of a side impact airbag system in the side doors of the vehicle are relatively close to the side of the vehicle. It is essential to realize that the side of the vehicle might be outside of the crush zone for a frontal airbag system, as in Breed, but not outside of the crush zone for a side impact airbag system, as in the claimed invention.

In response to the Examiner's comments on Issue 3 (page 5 of the Examiner's Answer), the primer of Spies projects into a recess in the housing but nevertheless is not arranged in the housing. A housing is defined by a boundary while anything outside of the boundary is not in the housing. In this case, the housing has an indentation and the primer that fits in this indentation is thus not arranged in the housing.

An early and favorable decision on appeal is respectfully requested.

FOR THE APPLICANT
Respectfully submitted,



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